

MESSAGE NO: 0257301

MESSAGE DATE: 09/14/2010

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-202

EFFECTIVE DATE: 10/19/1990

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON HEAVY FORGED HAND TOOLS FROM CHINA  
(A-570-202)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM OLYMPIA TOOLS INTERNATIONAL, INC. COMMERCE ISSUED A FINAL SCOPE RULING ON 08/27/2010, THAT OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR CONSTRUCTED OF TWO PIECES OF APPROXIMATELY 10.25" PIPES WITH A CAST GOOSENECK CLAW AND A CAST CHISEL END WELDED ON, HAVING A TOTAL LENGTH OF APPROXIMATELY 16.5" WHEN COLLAPSED AND CAN BE EXTENDED TO A MAXIMUM LENGTH OF 24.5" ALONG WITH A RUBBER SLEEVE COVERING THE LENGTH OF THE BAR IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER/FINDING COVERING HEAVY FORGED HAND TOOLS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-202).

2. COMMERCE DETERMINED THAT OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR HAVING THE SPECIFICATIONS DESCRIBED ABOVE ARE EXCLUDED ON THE MERIT THAT THE BAR IS CAST AND NOT FORGED. AS DETAILED IN THE SCOPE OF THE ORDER, HEAVY FORGED HAND TOOLS ARE MANUFACTURED THROUGH A HOT FORGE OPERATION IN WHICH STEEL IS SHEARED TO THE REQUIRED LENGTH, HEATED TO FORGING TEMPERATURE AND FORMED TO THE FINAL SHAPE ON FORGING EQUIPMENT USING DIES SPECIFIC TO THE DESIRED PRODUCT SHAPE AND SIZE. THEREFORE, OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR PRODUCED THROUGH A CASTING PROCESS IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 10/19/1990, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF

LIQUIDATION OF ENTRIES OF OLYMPIA TOOLS INTERNATIONAL, INC.'S STUBBY BAR ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/19/1990.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF HEAVY FORGED HAND TOOLS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9: AP).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party